

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

DENNIS MCGOUGH )  
 )  
v. ) NO. 1:07-0039  
 ) JUDGE CAMPBELL  
CORRECTIONS CORPORATION OF )  
AMERICA, INC., et al. )

ORDER

Pending before the Court are Defendants' Motion for Summary Judgment (Docket No. 87), Defendants' Motion to Continue the Trial Date (Docket No. 93), and a Report and Recommendation of the Magistrate Judge (Docket No. 99) to which no Objections have been filed.

The Court has reviewed the Report and Recommendation and the file. The Report and Recommendation is adopted and approved, with the following amendment: Pursuant to Stough v. Mayville Community Schools, 138 F.3d 612, 614 (6th Cir. 1998), the Court is not granting summary judgment simply because the Plaintiff has not responded, but it has examined Defendants' Motion to ensure that they have discharged their burden.

Defendants' Motion for Summary Judgment (Docket No. 87) is GRANTED, and this action is DISMISSED. Defendants' Motion to Continue the Trial Date (Docket No. 93) is DENIED as moot. The pretrial conference set for August 25, 2008, and the trial set for September 16, 2008, are canceled. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.



---

TODD J. CAMPBELL  
UNITED STATES DISTRICT JUDGE